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PREETPAL GREWAL
395 SOUTH END AVENUE # 8P
NEW YORK, NY 10280
(917) 576-9298
preetpalgrewal@yahoo.com

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U.S. DISTRICT COURT
S.D.N.Y.

September 30, 2017

BY ELECTRONIC FILING

The Honorable Ronnie Abrams
United States District Court for
the Southern District of New York
500 Pearl Street
New York, NY 10007

Re: Grewal v. Cuneo, et al.
Civil Action No. 13-cv-6836

Dear Judge Abrams:

By this letter Plaintiff seeks to bring this Court's attention that Plaintiff has previously informed the Court that Plaintiff was not aware of the Court conference scheduled for August 7, 2017.

On June 1, 2017 this Court had scheduled the trial dates and there was no date scheduled for August 2017. Plaintiff did not receive any request for scheduling a conference from Mr. Smith. Nor did Mr. Smith confer regarding scheduling of a conference. It is common practice for the attorneys to resolve the preliminary issues by telephone. Plaintiff was not aware that Mr. Smith was in New York City on August 7, 2012. Plaintiff had demanded a trial by jury in her complaint. Since then Plaintiff has withdrawn this request for a bench trial as agreed by Defendant.

As this Court is aware, CGL has taken numerous positions regarding Plaintiff's status. CGL represented and billed Plaintiff as a "partner" under penalty of perjury in fee applications before numerous courts nationwide. *See, e.g.,* SAC, Exhibits 1-10. CGL admits that Plaintiff was offered percentages for work origination. After Plaintiff worked to build her career did significant work and originate work, on a pretext CGL hired Michael Ross and commissioned a report on payment of approx. \$70,000 declaring under penalty of perjury that Plaintiff an "associate" at CGL. Ross Declaration (Dkt. Nos. 74, 127-1). Before this Court, CGL relied on the Ross Report declaring Plaintiff an "associate" and in its motion to dismiss. *See, SAC, Exhibits 1-10.*

During this litigation, Pamela Gilbert, named and managing partner at CGL, testified under oath: “We did not represent [Plaintiff] as a partner” (Gilbert, 72:19), in willful and reckless disregard of the numerous declarations representing Plaintiff as a partner at the same rate as Pamela Gilbert also billed as a partner @ 575/hour. *See* SAC, Exhibits 1-10 (Dkt. 44). Charles LaDuca and Jonathan W. Cuneo have taken the position that Plaintiff was represented and billed on her seniority and that these fee declarations are based on forms provided by the co-counsel.

CGL’s calculations in support of its motion for summary judgment that are contrary to Cuneo’s prior declaration explaining the terms. *See*, Dkt No. 79, Declaration of Jonathan W. Cuneo. Plaintiff has not received her dues.

This Court has relied on the different positions taken by the Defendants who have harmed Plaintiff’s career to justify their own egregious actions. Plaintiff requests that this Court deny Defendant’s motion for sanctions.

Respectfully submitted,


Preetpal Grewal

cc. Mr. Smith

11/28/14
Sgt. Smith and Anker
NY NY 10015

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UNITED STATES DISTRICT COURT

FOR THE Southern District of NY

500 Pearl St

NY NY 10007

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